

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

SARAH GEIGER

CASE NO. 6:22-CV-00374 (LEAD)

VERSUS

JUDGE ROBERT R. SUMMERHAYS

GRAVOIS ALUMINUM BOATS, LLC

MAGISTRATE JUDGE DAVID J. AYO

JUDGMENT

Before the Court are two motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) filed by defendant Chris Allard (“Allard”) in separate suits now consolidated under this lead case. These motions were referred to United States Magistrate Judge David J. Ayo for report and recommendation. After an independent review of the record, noting the absence of objections filed, this Court concludes that the Magistrate Judge’s report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, and DECREED that, consistent with the report and recommendation, Allard’s Motion to Dismiss (Rec. Doc. 31) originally filed in Civ. Act. No. 22-CV-5877 is GRANTED. Accordingly, Plaintiff’s claims for breach of contract, fraud, and detrimental reliance are hereby DISMISSED with prejudice as prescribed under La. Civ. C. Art. 3492.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that, consistent with the report and recommendation, Allard’s Motion to Dismiss (Rec. Doc. 19) originally filed in Civ. Act. No. 23-CV-1379 is GRANTED insofar as Plaintiff alleges the breach of a fiduciary duty arising out of the terms of the Assignment Agreement at issue and DENIED in all other respects. Accordingly, to the extent that Plaintiff alleges Allard breached a fiduciary duty

created by the Assignment Agreement at issue in this case, such claim is DISMISSED with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).

THUS DONE AND SIGNED at Lafayette, Louisiana, this 5th day of August, 2024.



ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE